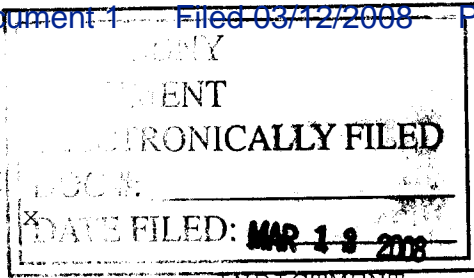


**Judge Pauley**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA

- v. -

AHMAD AWADALLAH,  
a/k/a "Al,"

Defendant.

08 Cr  
**08 CRIM 215**

COUNT ONE

The Grand Jury charges:

1. From on or about December 28, 2007, up to and including on or about February 10, 2008, in the Southern District of New York and elsewhere, AHMAD AWADALLAH, a/k/a "Al," the defendant, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, to violate Title 18, United States Code, Section 1029(a)(2).

2. It was a part and object of the conspiracy that AHMAD AWADALLAH, a/k/a "Al," the defendant, and others known and unknown, unlawfully, willfully and knowingly, and with intent to defraud, as part of an offense affecting interstate and foreign commerce, did traffic in and use one and more unauthorized access devices during a one-year period, and by such conduct did obtain other things of value aggregating \$1,000 and more during that

period, in violation of Title 18, United States Code, Section 1029(a)(2).

Overt Acts

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about December 28, 2007, AHMAD AWADALLAH, a/k/a "Al," the defendant, made a fraudulent credit card purchase using a credit card in another individual's name without that individual's consent in Bronx, New York.

b. On or about January 5, 2008, AWADALLAH made a fraudulent credit card purchase using a credit card in another individual's name without that individual's consent in Bronx, New York.

(Title 18, United States Code, Section 1029(b)(2).)

COUNT TWO

The Grand Jury further charges:

4. From on or about December 28, 2007, up to and including on or about February 10, 2008, in the Southern District of New York and elsewhere, AHMAD AWADALLAH, a/k/a "Al," the defendant, unlawfully, willfully, and knowingly, and with intent to defraud, as part of an offense affecting interstate and foreign commerce, did traffic in and use one and more unauthorized access devices during a one-year period, and by such

conduct did obtain other things of value aggregating \$1,000 and more during that period, to wit, AWADALLAH used a credit card without authorization to make fraudulent purchases in excess of \$1,000.

(Title 18, United States Code, Section 1029(a)(2).)

FORFEITURE ALLEGATION

5. As the result of committing one or more of the offenses alleged in Counts One and Two of this Indictment, AHMAD AWADALLAH, a/k/a "Al," the defendant, shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses.

Substitute Assets

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendant
- a. cannot be located upon the exercise of due diligence;
  - b. has been transferred or sold to, or deposited with, a third party;
  - c. has been placed beyond the jurisdiction of the court;
  - d. has been substantially diminished in value; or
  - e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any

other property of said defendant up to the value of the  
forfeitable property.

(Title 18, United States Code, Section 981;  
Title 28, United States Code, Section 2461; and  
Title 18, United States Code, Sections 1029 and 371.)

  
FOREPERSON

  
MICHAEL J. GARCIA  
United States Attorney

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

AHMAD AWADALLAH,  
a/k/a "Al,"

Defendant.

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INDICTMENT

08 Cr.

(18 U.S.C. §§ 1029(a)(2), 1029(b)(2).)

MICHAEL J. GARCIA

United States Attorney.

A TRUE BILL

*Ken Velt*

Foreperson.

3/12/08  
Pld In Post 11-105 After ordered  
The case is moved to Judge Baker  
for all purposes.  
*Mag Judge Baker*